

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANGEL RUIZ,

Plaintiff,

v.

JUNIOR FORTUNE, et al.,

Defendants.

No. 1:20-cv-01100-DAD-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(Doc. No. 22)

Plaintiff Angel Ruiz is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 29, 2021, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's federal claims be dismissed for failure to state a claim upon which relief may be granted and that plaintiff's state law claims be dismissed without prejudice to plaintiff bringing those claims in a state court. (Doc. No. 22 at 7.)

The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within twenty-one (21) days from the date of service. (Doc. No. 22 at 8.) On February 22, 2021, plaintiff filed objections to those findings and recommendations. (Doc. No. 23.) Therein, plaintiff does not address any of the magistrate

1 judge's findings that resulted in the recommendation that plaintiff's case be dismissed. (*Id.*)
2 Instead, plaintiff simply repeats the allegations of his complaint and merely asserts in a
3 conclusory manner that he objects to the findings and recommendations. (*Id.*)

4 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
5 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings
6 and recommendations to be supported by the record and by proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on January 29, 2021 (Doc. No. 22) are
9 adopted in full;
- 10 2. Plaintiff's federal claims are dismissed with prejudice for failure to state a claim
11 upon which relief may be granted;
- 12 3. Plaintiff's state law claims are dismissed without prejudice to plaintiff bringing
13 those claims in state court; and
- 14 4. The Clerk of Court is directed to close this case.

15 IT IS SO ORDERED.

16 Dated: **March 11, 2021**

17 
18 UNITED STATES DISTRICT JUDGE